

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11-2683

Applicant: Robert T. Moton Jr., *et al.* Examiner: Cumming, William D.  
Serial No.: 09/739,340 Group Art Unit: 2683  
Filed: December 19, 2000 Docket: 60027.0407US01/BS00068  
Title: System and Method for Using Location Information to Execute an Action

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 8, 2005.

By: Colin S. Wright  
Name: Colin S. Wright

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**39262**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Fifth Supplemental Information Disclosure Statement, Form 1449, 3 References
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: Colin S. Wright  
Name: Colin S. Wright  
Reg. No.: 57,202  
CSW

S/N 09/739,340



PATENT

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By: Colin S. Wright  
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**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**(37 C.F.R. § 1.97(c))**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the item of information listed on the enclosed Form 1449 is brought to the attention of the Examiner.

The documents disclosed herein are of record in Application Nos. 10/704,775, 10/819,940, and 11/252,039, the specifications of which are substantially the same as the specification in the present application.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114, but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. No fee is due as this statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

**Certification Under 37 C.F.R. §1.97(e)(2)**

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that no item of information listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned after making a reasonable inquiry, no item of information listed on the enclosed Form 1449 was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided, except for the U.S. patents.

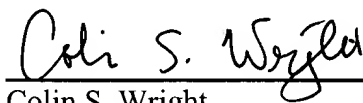
No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the item listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD



Colin S. Wright  
Reg. No. 57,202

Date: November 8, 2005

Merchant & Gould, LLC  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
Telephone: 404.954.5100



FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

60027.0407US01/BS00068

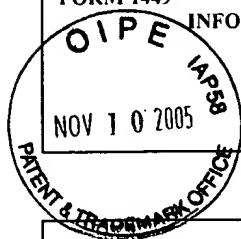
Application Number:

09/739,340

Applicant: Robert T. Moton Jr., *et al.*

Filing Date: December 19, 2000

Group Art Unit: 2683



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,505,048	01/2003	Moles et al.	455	456.1	
	6,377,810	04/2002	Geiger et al.	455	456.2	
	6,311,069	10/2001	Havinis et al.	455	456.4	

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	U.S. Official Action dated August 30, 2005 in U.S. Serial No. 10/704,775
	U.S. Official Action dated October 4, 2005 in U.S. Serial No. 10/819,940
	Co-pending Application No. 11/252,039 filed October 17, 2005 (Attorney Docket No. 60027.0440USC1)

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PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.